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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

AMER SULIEMAN,

Plaintiff,

vs.

JEBARA IGBARA, JOUMANA DANOUN, AND
MOTASHEM KHALIL

Defendants

1:20-cv-6032

**ATTORNEY AFFIRMATION IN
SUPPORT OF MOTION TO DISMISS THE
AMENDED COMPLAINT PURSUANT TO
F.R.C.P. RULES 12(b)(6) & 9(b)**

ALEXANDER F. DUKE, an attorney admitted to practice law in New York State and in the United States District Court, Eastern District of New York, affirms that the following is true and correct pursuant to the penalty for perjury:

Plaintiff alleges that he was the victim of a real estate fraud inflicted primarily by defendants Jebara Igbara and Joumana Danoun (hereinafter “Igbara” and “Danoun”), a husband and wife. (Neither has filed an Answer or appearance.) Khalil’s sole involvement is in allegedly furthering the scheme of fraud by issuing two checks to plaintiff, and by sending him a handful of text messages, after the plaintiff provided \$290,000 in cash to Igbara’s home at 1:40 in the morning. (Complaint ¶¶ 15-21). Defendant Igbara has been indicted in the Eastern District of New York for, inter alia, wire fraud connected to sale of the virtual currency bitcoin. Khalil has not been charged, questioned, subpoenaed or otherwise alleged to have any connection to those charged criminal acts, or any other for that matter.

The Plaintiff states this money was a “loan” to Igbara, for which he expected repayment,

although he did not receive any receipt to document the transaction in return. The plaintiff and Igbara had a prior business relationship, although no written contract is alleged to exist or was appended to the Complaint. Khalil's involvement is alleged to have been only after the loan was made, after the fraud was completed.

WHEREFORE, it is respectfully requested that the Court grant the motion and the relief requested, issuing an order and judgment dismissing the Amended Complaint as to MOTASEM KHALIL, with prejudice.

Respectfully Submitted,

ALEXANDER F. DUKE P.C.

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